REMARKS

Applicants submitted an Amendment and Response after Final Action on January 4, 2005, to the Final Office Action mailed on November 5, 2004. An Advisory Action was mailed on February 8, 2005 indicating that the proposed amendments would not be entered. Applicants respectfully request that the January 4, 2005 Amendment and Response after Final Action not be entered with the accompanying Request for Continued Examination.

Office Action Rejections Summary

Claims 1 – 19 have been rejected under 35 U.S.C. §112, second paragraph. Claims 1 – 31 and 34 – 37 have been rejected under 35 U.S.C. §102 (b) as being anticipated by Fox et al., Publication of J. of Brazil Soc. Mechanical Sciences (hereinafter "Fox").

Status of Claims

Claims 1 – 7, 9 – 37, and 42-45 are pending in this application. Claims 1, 7, 15, 19, 20, 25, 26, 29, 30, and 34 have been amended to define the invention more properly. Claims 38-41 are not entered. New claims 42-45 have been added. The amended and new claims are supported by the specification and no new matter has been added. Claim 8 has been canceled.

Claim rejections under 35 U.S.C. §112

Claims 1 – 19 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention. For claims 1, 15, and 19 in particular, the

Office Action states it is unclear which system is generating and escalating the

notification. Claims 1, 15, and 19 have been amended to include the limitation of "by the

monitoring operations center" to indicate which system is generating and escalating the

notification. As such, applicant submits that claims 1 – 19 comply with U.S.C. §112, first

paragraph and requests that the rejection with respect to claims 1 – 19 be withdrawn.

Claim rejections under 35 U.S.C. §102(b)

Claims 1 – 31 and 34 – 37 have been rejected under 35 U.S.C. §102 (b) as being

anticipated by Fox. Applicant respectfully submits that claims 1 – 37 are patentable over

Fox.

Amended independent claim 1 provides:

> A method, comprising:
>   *accessing a port of a host system by a satellite system to monitor a parameter for a predetermined event related to the host system*;
>   generating, by a monitoring operations center, a notification upon an occurrence of the predetermined event to a first person in a hierarchy; and
>   escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period.   (emphasis added)

Amended independent claim 20 provides:

> A machine readable medium having stored thereon instructions, which when executed by a processor, cause the processor to perform the following:
>   receiving an occurrence of a predetermined event related to a host system, *the occurrence of the predetermined event determined by access of a port of the host system by a satellite system*;
>   generating, by a monitoring operations center, a notification upon the occurrence of the predetermined event to a first person in a hierarchy; and

> escalating, by the monitoring operations center, the notification
> to a second person in the hierarchy when the first person fails to
> acknowledge the notification in a time period.   (emphasis added)

Fox discloses a system that monitors and summarizes spacecraft operations, and also includes a notification system when anomalous conditions arise. Fox's system (i.e., the Spacecraft Emergency Response System (SERS)) monitors ground system log files for anomalies, and not the spacecraft system itself. (Fox, page 326, paragraphs 5 – 6). There appears to be no disclosure in Fox about monitoring the spacecraft directly or any log files located on the spacecraft. That is, it appears there is no port on the spacecraft that is accessed by the SERS. The monitoring method of Fox is different than what is provided in as amended claims 1 and 20. In contrast, claims 1 and 20 include the limitation of "accessing a port of a host system by a satellite system to monitor a parameter for a predetermined event related to the host system," and "the occurrence of the predetermined event determined by access of a port of the host system by a satellite system," respectively. As such, applicant respectfully submits that claims 1 and 20 are not anticipated by Fox under 35 U.S.C. §102(b) and request removal of the rejection.

Claims 2 – 6 and 42 each depend either directly or indirectly from independent claim 1, and as such, each of these dependent claims include the limitation of "accessing a port of a host system by a satellite system to monitor a parameter for a predetermined event related to the host system." Claims 21 – 24 and 45 each depend either directly or indirectly from independent claim 20, and as such, each of these dependent claims include the limitation of "the occurrence of the predetermined event determined by access of a port of the host system by a satellite system." Accordingly, claims 2 – 6, 21 – 24, 42,

and 45 are not anticipated by Fox under 35 U.S.C. §102(b) and request removal of the

rejection.

Amended independent claim 7 provides:

> A method, comprising:
> *monitoring a host system for a parameter corresponding to a predetermined event*;
> generating, by a monitoring operations center, a notification upon an occurrence of the predetermined event to a first person in a hierarchy; and
> escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period, wherein the parameter is monitored using a satellite system located locally to the host system and wherein the notification is generated remotely from the host system.

> (emphasis added)

Amended independent claim 15 provides:

> A method, comprising:
> *monitoring a host system for a parameter corresponding to a predetermined event*;
> generating, by a monitoring operations center, a notification upon an occurrence of the predetermined event to a first person in the hierarchy;
> escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period; and
> generating, by the monitoring operations center, a trouble ticket at a predetermined point in the hierarchy to track the escalation.

> (emphasis added)

Amended independent claim 19 provides:

> A method, comprising:
> *monitoring a host system for a parameter corresponding to a predetermined event*;

generating, by a monitoring operations center, a notification upon an occurrence of the predetermined event to a first person in a hierarchy;

escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period; and

determining an asset parameter of the host system.

(emphasis added)

Amended independent claim 25 provides:

A machine readable medium having stored thereon instructions, which when executed by a processor, cause the processor to perform the following:

monitoring a host system for a parameter corresponding to a predetermined event;

generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy; and

escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period, wherein the processor further performs generating a trouble ticket at a predetermined point in the hierarchy to track the escalation.

(emphasis added)

Amended independent claim 26 provides:

An apparatus, comprising:

means for monitoring a host system for a parameter corresponding to a predetermined event;

means for generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy; and

means for escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period. (emphasis added)

Amended independent claim 29 provides:

An apparatus comprising:

means for monitoring a host system for a parameter corresponding to a predetermined event;

means for generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy;

means for escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period; and

means for generating a trouble ticket at a predetermined point in the hierarchy to track the escalation.   (emphasis added)

As discussed above, Fox's system monitors <u>ground system</u> log files for anomalies, and not the spacecraft system itself. (Fox, page 326, paragraphs 5 – 6). That is, it appears <u>Fox logs events in a separate system that is not located on the spacecraft</u>. There appears to be no disclosure in Fox about monitoring the spacecraft directly or any log files located on the spacecraft. The monitoring method of Fox is different than what is provided in as amended claims 7, 15, 19, 25, 26, and 29. In contrast, claims 7, 15, 19, 25, 26, and 29 each include the limitation of "monitoring a host system for a parameter corresponding to a predetermined event." As such, applicant respectfully submits that claims 7, 15, 19, 25, 26, and 29 are not anticipated by Fox under 35 U.S.C. §102(b) and request removal of the rejection.

Claims 8 – 14 and 43 each depend either directly or indirectly from independent claim 7. Claims 16 – 18 and 44 each depend either directly or indirectly from independent claim 15. Claims 27 – 28 each depend either directly or indirectly from independent claim 26. As such, each of these dependent claims includes the limitation of "monitoring a host system for a parameter corresponding to a predetermined event." Accordingly, claims 8 – 14, 16 – 18, 27 – 28, 43, and 44 are not anticipated by Fox under 35 U.S.C. §102(b) and request removal of the rejection.

Amended independent claim 30 provides:

An apparatus, comprising:

a configuration portal to interface with a satellite system and configure an event for a parameter of a host system;
      a digital processing system coupled to the portal, the digital processing system to receive data indicative of an occurrence of the event and generate a first notification; and
      a notification gateway coupled to the digital processing system to transmit the first notification to a first communication device, the digital processing system to generate a second notification to a second communication device if an acknowledgment is not received within a predetermined time.   (emphasis added)

Amended independent claim 34 provides:

A system, comprising:
      a host satellite system coupled to a first network;
      a plurality of communication devices; and
      a monitoring operations center coupled to the first network, the monitoring operations center comprising:
a configuration portal to interface with a satellite system and configure an event for a parameter of a host system;
      a digital processing system coupled to the portal, the digital processing system to receive data indicative of an occurrence of the event on the first network and generate a first notification; and
      a notification gateway coupled to the digital processing system to transmit the first notification to one of the plurality of communication devices, the digital processing system to generate a second notification to another of the plurality of communication devices if an acknowledgment is not received within a predetermined time.

(emphasis added)

As discussed above, Fox's system monitors <u>ground system</u> log files for

anomalies, and not the spacecraft system itself. (Fox, page 326, paragraphs 5 – 6).

In particular, Fox includes the following disclosure:

In SERS, an "event" is defined as a condition that merits the attention of the Spacecraft Control Team (SCT) and that may require some human intervention. . . . The SCT defines the items of interest over the Web by completing forms that define the elements of interest in the log file. These are known as filters. The SCT then defines the criteria for those filters that will trigger an alert, provide contextual information, or inhibit an alert notification.

(Fox, pages 326 – 327, paragraphs 7 – 10)

As such, it appears the SCT interacts with the SERS to define events for triggering notification. <u>There appears to be no disclosure in Fox about a configuration portal to interface with a system other than the SERS.</u> The system of Fox is different than what is provided in as amended claims 30 and 34. In contrast, 30 and 34 each include the limitation of "a configuration portal to interface with a satellite system and configure an event for a parameter of a host system." As such, applicant respectfully submits that claims 30 and 34 are not anticipated by Fox under 35 U.S.C. §102(b) and request removal of the rejection.

Claims 31 – 33 each depend either directly or indirectly from independent claim 30. Claims 35 – 37 each depend either directly or indirectly from independent claim 34. As such, each of these dependent claims includes the limitation of "a configuration portal to interface with a satellite system and configure an event for a parameter of a host system." Accordingly, claims 31 – 33 and 35 – 37 are not anticipated by Fox under 35 U.S.C. §102(b) and request removal of the rejection.

In conclusion, applicant respectfully submits that in view of the arguments and amendments set forth herein, the applicable rejections have been overcome.

If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Daniel Ovanezian at (408) 720-8300.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 2/14, 2005

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